

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

**U.S. Bank Trust National Association, not in
its individual capacity, but solely as trustee
of Citigroup Mortgage Loan Trust 2019-E**

Plaintiff

vs.

**Warren G. Cousins, Jr. and
Kristi Cousins**

Defendants

**LVNV Funding, LLC
U.S. Bank National Association, Not in its
individual capacity, but solely as Trustee of
NRZ Recovery Trust
Helen Cousins**

Parties-in-Interest

CIVIL ACTION NO: 2:22-cv-00323-JAW

**MOTION FOR ENTRY OF DEFAULT AS
TO PARTIES-IN-INTEREST, LVNV
FUNDING, LLC AND U.S. BANK
NATIONAL ASSOCIATION, NOT IN ITS
INDIVIDUAL CAPACITY, BUT SOLELY
AS TRUSTEE OF NRZ RECOVERY
TRUST**

RE: 317 Tatnic Road, Wells, ME 04090

**Mortgage:
October 19, 2006
Book 14988, Page 0146**

NOW COMES the Plaintiff, U.S. Bank Trust National Association, not in its individual capacity, but solely as trustee of Citigroup Mortgage Loan Trust 2019-E (hereinafter “U.S. Bank”), pursuant to Fed. R. Civ. P. P.55(a), and hereby moves for Default following service, as to Parties-in-Interest, U.S. Bank National Association, Not on its individual capacity, but solely as Trustee of NRZ Recovery Trust and LVNV Funding, LLC, since said Parties-in-Interest have neither answered nor otherwise appeared in this matter. As grounds therefore, Plaintiff states the following:

1. Plaintiff’s Complaint was filed on October 24, 2022.
2. Party-in-Interest, U.S. Bank National Association, Not on its individual capacity, but solely as Trustee of NRZ Recovery Trust, was served with the subject complaint on November 2, 2022.
3. Party-in-Interest, LVNV Funding, LLC, was served with the subject Complaint on November 9, 2022.



4. Proof of Service as to Party-in-Interest, U.S. Bank National Association, Not on its individual capacity, but solely as Trustee of NRZ Recovery Trust, was filed on November 4, 2022.
5. Proof of Service as to Party-in-Interest, LVNV Funding, LLC, was filed on November 17, 2022.
6. Plaintiff has brought this action to address four counts entitling it to various forms of relief including Foreclosure and Sale; Breach of Note; Breach of Contract, Money Had and Received, and Unjust Enrichment.
7. By failing to appear in this matter, entry of default in favor of Plaintiff, pursuant to Fed. R. Civ. P Rule 55(a) is proper against to Parties-in-Interest, U.S. Bank National Association, Not on its individual capacity, but solely as Trustee of NRZ Recovery Trust and LVNV Funding, LLC.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter default as to Parties-in-Interest, U.S. Bank National Association, Not on its individual capacity, but solely as Trustee of NRZ Recovery Trust and LVNV Funding, LLC.

Respectfully submitted this 31st day of March 2023.

/s/ Reneau J. Longoria, Esq.
Reneau J. Longoria, Esq., Bar No. 5746
Attorney for Plaintiff
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CERTIFICATE OF SERVICE

I, Reneau J. Longoria, Esq. hereby certify that on this 31st day of March 2023, I served a copy of the above document by electronic notification using the CM/ECF system and/or First Class Mail to the following:

/s/Reneau J. Longoria, Esq.

Reneau J. Longoria, Esq. Bar No. 005746

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Kristi Cousins
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Recovery Trust
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Helen Cousins
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Helen Cousins
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